

session, including

providing a cause value and an address of an associated message  
corresponding to the attempted communications session.

58. (Amended) The computer program product of claim [55] 56 wherein the second providing step includes the step of

providing the treatment with the message.

59. (Amended) [The computer program product of claim 55 wherein the providing step includes] A computer program product, comprising:

a computer-readable medium containing instructions for controlling a computer system to perform a method, the method including

receiving an attempt to initiate a communications session from a calling party's communications device to a called party's communication device;

providing an indication that the attempted communications session was not completed; and

receiving at the calling party's communications device a message providing an indication of a treatment corresponding to the attempted communications session, including

providing the indication of a particular version of the treatment.

#### REMARKS

In the Office Action, claims 1, 6, 10, 40, 46 and 55 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,999,965 to Kelley; claims 16, 13, 19, 20,

25, 28, 31, 36, 43, 51 and 58 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,018,577 to Roach in view of Kelley; and claims 2-5, 7-9, 11-15, 17, 18, 21-23, 26, 27, 29, 30, 32-35, 37-39, 41, 42, 44, 45, 47-50, 52-54, 56, 57, 59 and 60 were objected as dependent upon a rejected base claim. The Examiner indicated that the claims that were objected to would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant has amended claims 2, 6-8, 11, 13, 14, 17, 19-23, 26, 28, 29, 32, 36-38, 41, 43, 44, 47, 51-53, 56, 58 and 59 in accordance with the Examiner's suggestion of allowable subject matter. Accordingly, claims 2-9, 11-15, 17-24, 26-30, 32-39, 41-45, 47-54 and 56-60 are in condition for allowance.

Applicants respectfully traverse the rejection of claims 1, 10, 16, 25, 31, 40, 46 and 55. Each of the above claims include a receiving means for receiving at the calling party's a message providing an *indication* of a treatment corresponding to the attempted communications session. That is, the present invention allows an indication, rather than the treatment itself, to be provided at the receiving means.

As described in the specification, a treatment may be a tone representing a busy signal, a message indicating all circuits are busy, etc. In conventional systems, the *treatment* is provided to the receiving means. In these systems, for example, a tone representing a busy signal may be provided to the receiving means.

In contrast, the present invention allows an indication of the treatment to be received at the receiving means. After the indication is received, it may be used to obtain the actual treatment. For example, rather than sending a busy signal or other

treatment, the present invention allows an indication, such as an ordinal number, to be transmitted over the network to the receiving means. The indication, in this example an ordinal number, may be mapped into a corresponding treatment at the receiving means and applied.

The cited prior art does not disclose providing indications of a treatment. Although the Office Action relies on col. 19, lines 50-51 of Kelly as teachings for providing indications of a treatment, this passage simply states that an agent thread resets the relevant entry in an Active Agent Table 340 if a connection is lost. Kelly describes in col. 13, lines 16-18, that an Active Agent Table is a table set by the ACD server 300 for routing and tracking incoming calls. Kelly further discloses in col. 13, lines 60-66 that the Active Agent Table 340 is circular list in memory including an agent identifier, status indicator and current IP address assigned to the agent's WebPhone process. It does not appear that Kelly discloses a means for providing an indication of a treatment.

In fact in col. 20, lines 8-27, Kelly describes how messages such as "All agents are busy" and "Try again later" are sent to the caller process. Col. 16, lines 56-59 also disclose that an agent returns a BUSY or ERROR packet is transmitted to the caller. That is, the treatments, and not indications of the treatment, are sent to the caller. Accordingly, Applicants respectfully request the Examiner to withdrawal the rejections of claims 1, 10, 16, 25, 31, 40, 46 and 55.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely

allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

E. Robert Yeates  
Reg. No. 30, 120

Dated: August 31, 2000